

One Hundred Second Congress

Congress of the United States

Committee on Foreign Affairs

House of Representatives

Washington, DC 20545

June 18, 1992

The Honorable James Baker
Secretary
Department of State
Washington, D.C.

Dear Secretary Baker:

The Subcommittee on International Economic Policy and Trade is continuing its investigation into United States policy regarding the export to Iraq of militarily useful equipment and technology and how that policy was implemented.

On April 19, 1991, I wrote to you requesting "all documents from January 1, 1985 until December 31, 1990, regarding the export or re-export to Iraq of equipment or technology controlled or suggested for control for national security or foreign policy purposes". In a letter of July 11, 1991, you wrote to Chairman Fascell indicating that "I have previously undertaken to deliver or make available all State Department generated documents which are under our control and reachable by subpoena".

Though your correspondence never addressed the matter, we were later informed by your staff that the State Department would only provide abridged summaries, rather than the summaries themselves, of your morning meetings as they regard the export of militarily useful technology to Iraq. No legal basis was ever provided to justify this withholding of documents.

By this letter, I am requesting that you provide to the Subcommittee any and all documents from January 20, 1989 until December 31, 1990 regarding any discussions you had concerning the export of equipment or technology to Iraq, including but not limited to equipment or technology controlled or suggested for control for national security or foreign policy purposes from the United States or from other countries, the sale of arms to Iraq from the United States or from other countries, and any export assistance from the United States for products to be exported to Iraq. This request includes, but by no means is limited to, the summaries of your morning meetings and more detailed accounts of such meetings, if they exist. Clearly, any documents provided by the State Department in response to our previous request need not be provided once again.

As you may recall from our earlier correspondence, for the purpose of this request, the term "documents" includes but is not limited to all draft and final versions of the following: memoranda and correspondence both within the Department of State and between the Department of State and any individual, department or other entity, as well as memoranda to the file, minutes and notes of meetings and notes of telephone conversations.

I also have concerns regarding some of the documents that the State Department has

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chosen to maintain as classified, and therefore withhold from the American people. I am including as an attachment to this letter a list of those documents for which the State Department's justification is inadequate. For these documents, please identify with specificity the language in each document that justifies its continuing classification and the rationale for such continuing classification.

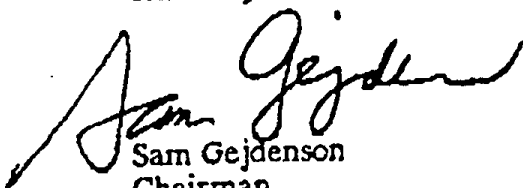
In particular, the continued classification of two cables from Ambassador April Glaspie lacks a rational basis. These two cables, the first from Ambassador Glaspie to the Secretary of State regarding a meeting of April 12, 1990 between a group of U.S. Senators and Saddam Hussein, and the second, dated July 29, 1990, from Ambassador Glaspie to Secretary Baker, are important in understanding United States involvement with Saddam Hussein. Further, you have declassified other cables regarding meetings between U.S. diplomats and Iraqi officials. Clearly, the war changed our relationship with Iraq so drastically as to make diplomatic exchanges between the two countries that took place before the war no longer worthy of secrecy—especially when balanced against the right of the American people to know what was going on between their own government and the nation with whom we went to war. I do hope that the Administration does not intend to hide behind classifications intended for national security purposes as a means of keeping information from the American people, even if that information might be embarrassing.

If, as you pointed out in your letter of July 11, 1991, the Administration has "nothing whatsoever to hide regarding this policy area", then you should be willing to provide the documents and the declassifications requested.

Please provide the Subcommittee with the documents and your response on the declassifications requested no later than June 29, 1992. Please send the documents to the Subcommittee office at 702 House Annex 1. If there are any documents that you refuse to provide, please send us on an expedited basis a memorandum setting out in full the legal justification for withholding such information from Congress.

Thank you for your cooperation.

Sincerely,



Sam Gejdenson
Chairman
Subcommittee on International
Economic Policy and Trade